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Colo. immigration law falls short of goal

State agencies: \$2 million cost and no savings

By Mark P. Couch

Denver Post Staff Writer

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Colorado's new law banning state spending on illegal immigrants has cost more than \$2 million to enforce - and has saved the state nothing.

Less than a year after politically charged debates on illegal immigration, officials are reporting high costs, no savings and unexpected problems with the new laws.

Once touted by statehouse Republicans and Democrats as the toughest anti-immigration package in the nation, the Colorado crackdown is falling apart.

"We're finding very few of the departments where these bills have a major effect," said state Sen. Abel Tapia, D-Pueblo, chairman of the legislature's Joint Budget Committee.

The centerpiece of the get-tough effort was House Bill 1023, which

prohibits spending taxpayer money on illegal immigrants except in cases required by the federal government.

What do you think?

Tell us what should be done now that a new state law denying benefits to illegal immigrants has been shown to cost \$2 million, while not saving the state any money

To figure out whether the law is working, the Joint Budget Committee asked each department to report how much it was spending to enforce the law and how much the department was saving as a result.

The result: Eighteen departments reported adding \$2.03 million in costs while not saving any money. None of the departments could say how many, if any, illegal immigrants were being denied state-funded services. Lawmakers expressed mixed views about the report.

Sen. David Schultheis, R-Colorado Springs, who is calling for a tougher ban, said he believes departments are suppressing information.

"They are probably playing fast and loose with the statistics for ideological reasons," Schultheis said.

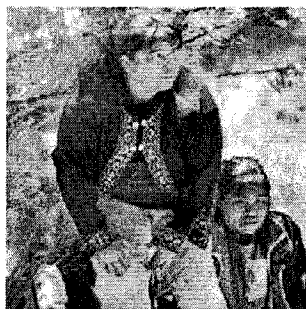
Tapia said he wasn't surprised.

"I thought it was a waste of money when we were doing it," he said, "but I don't think the general public believed that the state wasn't spending money on illegal immigrants."

Senate President Joan Fitz-Gerald, D-Jefferson County, said the departments should have reported such information before last year's special session.

"It would have been nice to have this information before Gov. (Bill) Owens called us back for a special session," she said.

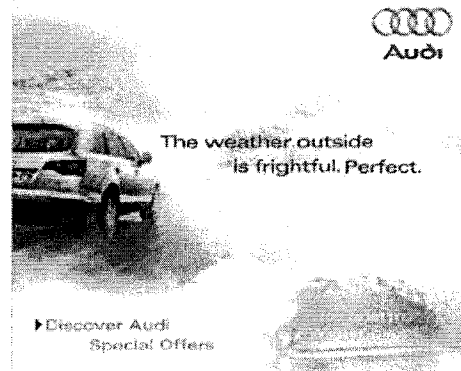
The JBC held a special hearing on the eve of the special session to seek that information from department heads, but lawmakers were told the information was not available.



A group of immigrants, including women and a young girl, crosses into the United States illegally May 22, 2006, near the Nogales, Ariz., commercial checkpoint. (Knight Ridder / Fernando Salazar)

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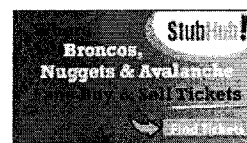


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When HB 1023 passed, the only identified cost was \$6,600 - the estimated amount it would take to enroll all state departments in a federal program providing immigration and citizenship verification.

A 2005 bill calling for a more sweeping ban on services - including cuts to child welfare and probation, among other services - had an estimated price tag of \$4.3 million and would have added 87 workers to the state payroll.

The increased spending - mostly due to startup costs of the law - is not the only problem with the immigration measures passed by the legislature or approved by voters last year.

The spending ban has also forced some public school districts to cancel keynote speakers from out of state. In those cases, the speakers live in states where the documents required to receive a driver's license are not as stringent a form of identification as in Colorado under the new law.

Two other immigration laws have vexed the Colorado attorney general's office.

In November, state Attorney General John Suthers' office acknowledged that it has not been enforcing an anti-counterfeiting law due to a lack of funding.

That law orders the attorney general to pursue civil fines of at least \$50,000 from people who forge documents to help illegal immigrants get jobs.

And earlier this month, Suthers told lawmakers that a voter-approved referendum on immigration is doomed to fail.

That measure - Referendum K on the November ballot - ordered Suthers to sue the federal government to demand enforcement of existing laws.

On Tuesday, Suthers' office asked for emergency funding of \$46,191 to cover the costs of pursuing the lawsuit, even while concluding that such a case is likely to be dismissed prior to trial.

Staff writer Mark P. Couch can be reached at 303-954-1794 or mcouch@denverpost.com.

Departments' tallies of compliance costs

The state of Colorado has spent about \$2 million to comply with a new law that was meant to curb state spending on illegal immigrants. So far, no department has reported a cost savings. Here is a breakdown of money spent, by department:

Agriculture: at least \$300

Education: n/a*

Governor: n/a

Health Care Policy and Financing: \$87,287

Higher Education: n/a

Human Services - County Administrative Services: \$173,000

Human Services - Old Age Pension: \$101,557

Human Services - Alcohol & Drug Abuse: \$24,900

Human Services - Low-Income Energy Assistance Program: \$52,254.56

Human Services - CBMS: \$23,377

Labor and Employment: \$374,828

Law: no more than \$300

Local Affairs: \$0

Military and Veterans Affairs: \$0

Natural Resources: possibly \$368,059

Personnel and Administration: \$0

Public Health and Environment: \$73,362

Regulatory Agencies: \$378,107

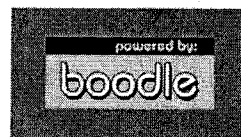
Revenue: \$372,533

State: \$0

Transportation: \$0

* Information for some departments was not available.

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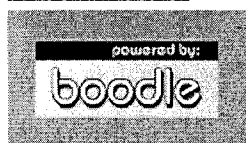
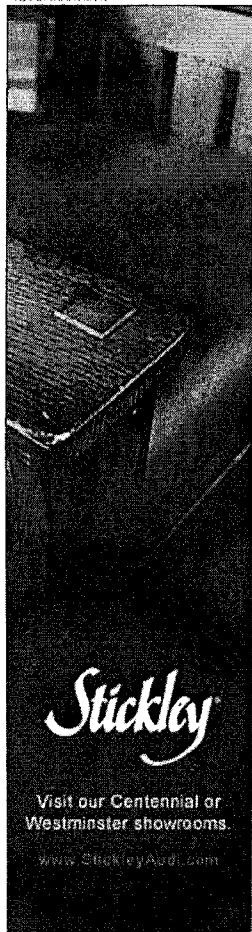
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No easing up yet in proof of citizenship law

Groups push for fix in ID rules that snare bona fide residents

By Lynn Bartels, Rocky Mountain News
January 26, 2007

A Colorado Springs lawmaker's daughter couldn't get a driver's license. An 84-year-old Greeley woman had trouble getting her low-flow toilet rebates. Increased red tape made life harder for the poor.

For months, stories abounded about how bona fide Coloradans were being snared in a tough anti-illegal immigration bill lawmakers passed last year during a special session.

But no bill has been introduced yet to clean up the measure.

Senate President Joan Fitz-Gerald, D-Coal Creek Canyon, said Thursday she believes problems can be handled through executive orders from new Gov. Bill Ritter or by directives from department heads he recently appointed.

"Most of the problems are because the departments issued regulations that were contrary to what we stated in our bill," she said.

But others believe cleanup legislation is needed on House Bill 1023, which went into effect Aug. 1 under Republican Gov. Bill Owens.

The law established identification rules that require Coloradans to prove to local and state agencies they're in the country legally before they can obtain most government benefits.

A coalition of groups that have dealt with the law's aftermath met Thursday with House Speaker Andrew Romanoff, D-Denver, to outline their concerns.

"Nobody wants to violate the law, but nor do they want to overinterpret the law," said Maureen Farrell, executive director of the Colorado Center on Law and Policy.

"They want to serve people and not create a chilling effect for people who need their services, whether that's food or shelter or medical care."

The nonprofit agency, which focuses on how legislation affects low-income populations, repeatedly gets calls from providers about problems with HB 1023. One of the biggest problems, Farrell said, is that various government agencies interpret the law differently.

For example, the Colorado Center is familiar with an organization that collects private money to assist people with utility bills. That group also receives government money.

A county attorney told the group it does not have to verify citizenship to hand out utility checks to recipients, but a city attorney in that county says the group does.

Dede de Percin, executive director of the Colorado Consumer Health Initiative, said lawmakers don't have much time. That's because waivers that allow some flexibility, such as for the homeless or the elderly to show other forms of ID and still receive benefits, expire March 1.

"I don't see any other way to make some of these changes except by statute," de Percin said.

Romanoff said he will work with the coalition, leadership and Ritter.

House Bill 1023

- Establishes strict ID rules requiring Coloradans to prove they're here legally before getting most government benefits.
- Says benefits applicants must have one of four approved IDs.
- Says applicants must sign affidavit attesting to their legal status; agency must check

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immigration status online.

Proposed changes:

- Clarify definitions of lawful presence, citizenship, identity, applicant, public benefit.
- Expand list of acceptable ID documents to U.S. standards.
- Exempt those with established eligibility for U.S. programs.
- Clarify that private funds aren't subject to HB 1023.
- Waive ID document fees for public- assistance applicants.
- Clarify what information must be reported and clarify by whom. *Source: General Assembly*
Source: The 1023 Coalition

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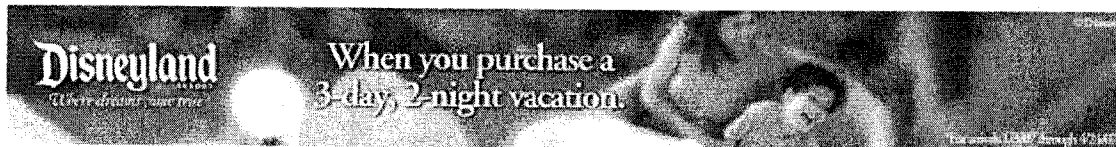
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